

## Eastern Division

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**AND MEMORANDUM IN SUPPORT THEREOF**

Relief from Automatic Stay states as follows:

“A” and incorporated herein by this reference.

Thompson to Chase Bank USA, N.A., securing the following property:

OF ARTHUR BY A DEPTH NORTHWARDLY OF 155 FEET 6 INCHES TO AN ALLEY.

incorporated herein by this reference.

3. Movant is the owner and holder of the Note and Deed of Trust. True and correct copies of the Assignments of Deed of Trust are attached hereto as Exhibit "C" and incorporated herein by this reference. Movant asserts it has the right to foreclose should stay relief be obtained.

4. Debtor filed for relief under Chapter 7 of the United States Bankruptcy Code on April 10, 2019.

5. Debtor has failed to make monthly payments to Movant for the months of October 2018 through April 2019, causing a post-petition payment arrearage in the amount of \$7,754.16. Said amount is comprised of:

- |   |            |
|---|------------|
| 1. 7 regular monthly payments (10/2018-4/2019)@ \$981.88 each         | \$6,873.16 |
| 2. Movant's recoverable Attorney Fees (\$700.00) and Costs (\$181.00) | \$881.00   |

6. The principal balance of this Note is \$136,051.69.

7. Debtor has not offered Movant adequate protection for the payment of indebtedness described herein, 11 U.S.C. § 362 (d)(2).

8. Upon information and belief, Debtor has little or no equity in the Property for the benefit of the bankruptcy estate and said Property is not necessary for an effective reorganization. 11 U.S.C. §362(d)(2)(A) and §362(d)(2)(B).

9. To the extent the Trustee intends to the sell the Property, Movant requests that Movant be provided adequate protection of its interest in the Property.

10. Movant requests that any order modifying the stay be effective immediately as allowed under Federal Bankruptcy Rule 4001(a)(3).

**WHEREFORE**, for the foregoing reasons, Movant prays that this Court enter an Order granting relief from the automatic stay to enable Movant to exercise any and all rights provided under non-bankruptcy law and as set forth in the Note and Deed of Trust granting it an interest in said property, including but not limited to foreclosure of the Property, to pursue a short sale, deed in lieu of foreclosure or other foreclosure alternatives, to exercise its rights under state law to obtain possession of the property, that upon entry of an Order Granting Relief from Stay the collateral is deemed to be abandoned by the Chapter 7 Trustee as an asset of the bankruptcy estate, that any order modifying the stay be effective immediately as allowed under Fed. Rule Bankr. P. 4001(a)(3), and for such other and further relief as is just and appropriate under the circumstances.

Respectfully submitted,

MARTIN LEIGH P.C.

/s/Melinda J. Maune

Melinda J. Maune, #49797MO, mjm@martinleigh.com

Amy Tucker Ryan, #49047MO, atr@martinleigh.com

2405 Grand Blvd., Ste 410

Kansas City, MO 64108

Telephone:(816) 221-1430

Fax:(816) 221-1044

ATTORNEYS FOR MOVANT

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was filed electronically on the 30<sup>th</sup> day of April, 2019, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to the parties listed below on the 30<sup>th</sup> day of April, 2019:

Kori Elizabeth Thompson  
343 Autumn Creek Drive, Apt. A  
Valley Park, MO 63088

/s/ Melinda J. Maune

Melinda J. Maune, Attorney for Creditor

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
Eastern Division**

<b>In re:</b>	)	
	)	
<b>KORI ELIZABETH THOMPSON</b>	)	
<b>Debtor.</b>	)	<b>Case No. 19-42210-399</b>
	)	
<b>NATIONSTAR MORTGAGE LLC D/B/A MR.</b>	)	<b>Chapter 7</b>
<b>COOPER</b>	)	
<b>Movant,</b>	)	
	)	
<b>v.</b>	)	<b>DOCKET NO. _____</b>
	)	
<b>KORI ELIZABETH THOMPSON</b>	)	
<b>Respondent.</b>	)	

**SUMMARY OF EXHIBITS**

Pursuant to L.R. 9040-1, the following exhibits are referenced in support of Movant's Motion for Relief. Copies of these exhibits will be provided as required by Local Rules and are available upon request:

- A. Note & Loan Modification
- B. Deed of Trust
- C. Assignments of Deed of Trust

Respectfully submitted,

MARTIN LEIGH P.C.

/s/Melinda J. Maune

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Valley Park, MO 63088

/s/ Melinda J. Maune  
Melinda J. Maune, Attorney for Creditor